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EXAMINER

SHANKAR, V

ART UNIT 4

PAPER NUMBER

2614

DATE MAILED:

11/16/92

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.
A shortened statutory period for response to this action is set to expire 3 month(s), -0- days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- Notice of References Cited by Examiner, PTO-892.
- Notice re Patent Drawing, PTO-948.
- Notice of Art Cited by Applicant, PTO-1449.
- Notice of Informal Patent Application, Form PTO-152.
- Information on How to Effect Drawing Changes, PTO-1474.
- _____

Part II SUMMARY OF ACTION

1-18

- Claims _____ are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- Claims _____ have been cancelled.
- Claims _____ are allowed.
- Claims _____ are rejected.
- Claims _____ are objected to.
- Claims _____ are subject to restriction or election requirement.
- This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- Formal drawings are required in response to this Office action.
- The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable. not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
- The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).
- The proposed drawing correction, filed on _____, has been approved. disapproved (see explanation).
- Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____
- Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- Other

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1. Claims 1-11 and 13-18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following terms or recitations are lack of antecedent basis:

- (1) In claim 1, on line 7, "the receipt of signals"
- (2) In claims 3 and 9, lines 18 and 22, respectively, "said program".
- (3) In claim 6, line 2, "said means for processing data"
- (4) In claim 13, line 19 and 20 "the cellular phone" and "the central processor".
- (5) In claims 14 and 16, lines 21 and 4, respectively, "The cellular telephone tracking system"
- (6) In claims 14 and 15, lines 23 and 26, respectively, "the phone unit". Also on lines 25, 5, respectively "the central processor".
- (7) In claim 15, on line 26, "programmed system operating means".
- (8) In claims 17 and 18, lines 12 and 15 respectively, "The cellular telephone tracking and answer system".

In claim 2, line 16, the term "claim 3" is unclear and confusing (see MPEP 308.01(i)).

In claim 7, line 10, it is unclear what is meant by the term

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"from said telephone unit said microprocessor".

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-7 and 10 and 11 are rejected under 35 U.S.C.

§ 102(e) as being anticipated by Molnar.

Consider claims 1, 4-7, Molnar teaches a data interface for telephone system comprising a telephone unit (9, 5), CPU (23), a microprocessor (27) in figure 1, a port (64) figure 2. (see abstract, figures 1 and 2, summary of the invention, column 3, lines 8-35, column 6, lines 7-15, figure 3, and column 7, lines 17-20).

For what's called for in claims 10-11, they are rejected for the same reasons as claims 4 and 5.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 12-15 and 17-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Zicker et al.

Consider claims 12-15, Zicker et al teaches a cellular

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radio-telephone credit card paystation method comprising a cellular mobile telephone (12 in figure 1), CPU (42) in figure 2), a memory (70 in figure 3 and programmed system operating means (48). Credit card information, called number, call time, call duration, and system identification number (SID) are recorded in a call record for each call through cellular mobile telephone (see abstract, figure 17A and 17B and column 26, line 3-68).

A credit card (88), a card reader (600) and a timer (500) are shown in figure 4.

The use of printer is inherent in Zicker et al for printing check in and check out data on the phone. See abstract, figures 1-4, 17A-B, summary of invention, column 6, line 58, column 8, line 58.

6. Claims 2-3, 8-9 and 16 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'sullivan teaches a system for interface computers to diverse telephone networks, Stahl et al teaches a cordless telephone with internal debit and credit memory, and Freedman teaches an automated printing control system.

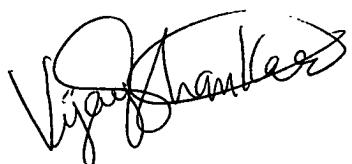
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay Shankar whose telephone number is (703) 305-4763.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4750.



V. SHANKAR/TC
November 09, 1992



CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
GROUP 2600